

Remarks

Claims 34-61 and claims 213-216 are pending in the present application and previously withdrawn claims 1-32 and claims 62-212 have been cancelled without prejudice, with Applicant reserving the right, in view of the restriction requirement, to pursue these claims in a divisional application. Claim 33 has been cancelled and claims 213-216 have been added in connection with this response.

Prior claims 34-39, 60, and 61 were rejected under 35 USC 103(a) as being unpatentable over Gordon, US Patent No. 6,682,444, in view of Mirando et al., US Patent No. 5,482,699. Prior claims 40-59 were rejected under 35 USC 103(a) as being unpatentable over Gordon, US Patent No. 6,682,444, in view of Mirando et al., US Patent No. 5,482,699, and further in view of Simpson et al. (US Patent No. 5,776,018).

In order to place this case in condition for allowance, claim 38 has been amended to include substantially all of the limitations of claim 33 from which claim 38 formerly depended and further includes additional patentable limitations as described below.

Among other limitations claim 38 sets forth means for adjusting or limiting the elasticity of rebounds provided by the one or more deformable elastic surfaces and means for receiving a payment and providing a signal indicative of a payment being made. Support for limiting may be found in Paragraphs 24 - 26 and in Figures 2A and 2B and in Figure 3 while means for receiving a payment and providing a signal indicative of a payment being made finds support in Paragraph 20, lines 4-5 and in Figure 1A as element 12 and in its connection to computer 10.

In addition, claim 38 sets forth means operably connected to the elasticity adjusting or limiting means for controlling the elasticity adjusting or limiting means which finds support in Paragraph 25 and in Figures 2A and 2B. Claim 38 also sets forth a signal from the payment receiving means. Support is found in Paragraph 10, lines 6-7, together with Paragraph 20, lines 4-5.

Claim 38 also sets forth biasing members. Support is found in Paragraph 24, lines 3-7 and Figures 2A and 3.

Claim 38 additionally sets forth an inflexible member which is operably connected to the plurality of biasing members to constrain the motion and/or extension of the plurality of biasing members. Support is found in Figures 2A and 2B and in Paragraph 25, lines 1-4 and in Figure 3 and in Paragraph 26, lines 1-12.

Claim 38 also sets forth at least one movable piston connected to the inflexible member and controlled by the control means. Support is found in Paragraph 25, lines 1-4 and in Paragraph 26, lines 1-12.

Further, support for claim 213 is found in Figures 2A and 2B and in Paragraph 25, lines 1-4. Support for claim 214 is found in Figure 3 and in Paragraph 26, lines 1-12. Support for claim 215 is found in Figure 1A and in Paragraph 23, line 1. Support for claim 216 is found in Figure 2A and in Paragraph 24, line 4.

It is clear that the previously applied and cited references fail to, either singly or in combination, meet the features as now set forth in independent claim 38 and the claims which depend therefrom. .

Independent claim 38 is patentably distinguishable over the cited art and is in condition for allowance. Dependent claims 34-37, 39-61, and 213-216 are therefore also allowable. Further, all remarks contained in Response B to the non-final Office Action of October 31, 2005 are to be incorporated in this response. Although Applicant has cancelled claims 1-32 and 62-212, Applicant reserves the right to file a divisional application based upon these canceled claims.

No fee is believed to be due. However, if the payment of a fee or extensions to time is deemed necessary, the Director is authorized to charge any deficiencies or to credit any overpayments to Deposit Account No. 03-2410.

In view of the above, it is respectfully submitted that the application is in condition for immediate allowance, and a Notice of Allowance is earnestly solicited.

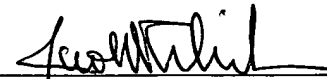
Appl. Ser. No. 10/733,715
Atty. Docket No. 30940-101
Reply to Office Action dated May 5, 2006

If questions regarding the above discussion remain, Applicants request that the Examiner contact Applicant's counsel

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Respectfully submitted,
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Date: August 3, 2006

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